

## **REMARKS**

In the above-identified Office Action, the Patent Office rejects claims 1-7. In this Response, Applicants amend the application and seek reconsideration thereof. In this response, Applicants amend claims 1 and 7. Applicants cancel claim 2 and add new claims 8-10. Accordingly, claims 1 and 3-10 are pending.

Applicants note with appreciation, the Patent Office's objection to claim 2 as objected to but allowable if rewritten to overcome the rejection(s) under 35 U.S.C. § 112, second paragraph, and to include all of the limitations of the base claim and any intervening claims. As such, Applicants amend independent claim 1 to include limitations of objected to but allowable claim 2, and cancel claim 2. Applicants reserve the right to prosecute the former claims in a divisional or continuation application.

Applicants note with appreciation, the Patent Office's objection to claim 7 as objected to but allowable if rewritten to overcome the rejection(s) under 35 U.S.C. § 112, first paragraph, and to include all of the limitations of the base claim and any intervening claims. As such, Applicants amend claim 7 to incorporate the Patent Office's suggestions.

### **I. 35 U.S.C. § 112, second paragraph**

It is asserted in the Office Action that claim 2 is rejected under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter. Applicants have canceled claim 2 and amended claim 1 to include the limitations of claim 2. Moreover, in claim 1 Applicants have replaced the objected to term "an unusual slack" with "excessive tension." Applicants assert that Claim 1 is allowable.

Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. § 112, second paragraph rejection above.

### **II. 35 U.S.C. § 112, first paragraph**

It is asserted in the Office Action that claim 7 is rejected under 35 U.S.C. § 112, first paragraph as failing to comply with the written description requirement. The Patent Office asserts that claim 7 describes what occurs when "the web output from the potentiometer is not less than a preset value" and when "the web output from the potentiometer is not more than a preset value", but fails to describe what occurs when "the web output from the potentiometer is equal to the preset value." Applicant has amended claim 7 in accordance with the suggestions by the Patent Office and asserts that claim 7 is now in compliance with 35 U.S.C. § 112, first paragraph.

Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. § 112, first paragraph rejection for claim 7.

### **III. 35 U.S.C. § 103(a)**

#### **Claim 1**

It is asserted by the Patent Office that claim 1 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Fujishiro (JP 2001-315296) (“Fujishiro”) in view of Jurkewitz (5996492) (“Jurkewitz”).

Applicants note the Patent Office’s objection to claim 2 as objected to but allowable if rewritten to overcome the rejection(s) under 35 U.S.C. § 112, second paragraph, and to include all of the limitations of the base claim and any intervening claims. Thus, Applicants have amended claim 1 to include the limitations of claim 2 with the term “excessive tension” replacing “an unusual slack.” Therefore, for at least the same reasons that the Patent Office would allow claim 2, Applicants assert that claim 1 is allowable.

Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. 103(a) rejection of claim 1.

#### **Claims 3 and 4**

The Patent Office asserts that claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fujishiro in view of Jurkewitz and further in view of Pavliny et al. (5443008) (“Pavliny”).

Applicants note that claims 3 and 4 ultimately depend from independent claim 1. Therefore, claims 3 and 4 are allowable for at least the same reasons that claim 1 is allowable.

Accordingly, Applicants respectfully request the withdrawal of the 35 U.S.C § 103(a) rejections of claims 3 and 4.

#### **Claims 5 and 6**

The Patent Office asserts that claims 5 and 6 are rejected under 35 U.S.C. § 103(a) as unpatentable over Fujishiro in view of Jurkewitz further in view of Felix (4657164) (“Felix”).

Applicants note that claims 5 and 6 ultimately depend from independent claim 1. Therefore, claims 5 and 6 are allowable for at least the same reasons that claim 1 is allowable.

Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. § 103(a) rejections of claims 5 and 6.

### **IV. Additional Claims**

Applicants add new claims 8-10. Claim 8 is independent; claims 9 and 10 ultimately depend from claim 8.

Applicants now address new claims 8-10 with respect to the references cited by the Patent Office in the above-referenced Office Action. Applicants have incorporated limitations into the new

claims such that none of the cited references alone or in combination teach, suggest or disclose all of the elements of any of the new claims.

Claim 8 requires that when the tension of the web is greater than a preset value the controller controls the drive means such that the winding roller rotates in a reel-out direction. According to claim 8, for example, web breakage can be prevented by removing the excessive tension of the web during plate replacing. Additionally, claim 8 requires that when the tension of the web is smaller than a preset value the controller controls the drive means such that the winding roller rotates in a winding direction. According to claim 8, for example, the wrap-up of the web can be prevented by removing the slack of the web during plate replacing in the following manner. An apparatus according to claim 8, for example, may avoid the pitfalls associated with the dancer roller used in the conventional art discussed in the specification (page 1, line 11 to page 2, line 9).

Jurkewitz describes that web breakage may be prevented when the printing press is started by controlling the pneumatic pressure cylinder of the dancer roller according to the measured tension of the web. However, Jurkewitz does not teach, suggest or disclose any means to prevent the wrap-up of the web during plate replacing as required by Applicants' claim 8. Jurkewitz also fails to teach, suggest or disclose a control for the drive means that selectively drives the winding roller in a winding direction and in a reel-out direction according to the level of tension measured in the web.

As noted by the Patent Office, Fujishiro fails to teach the above limitations. Furthermore, even in combination, Fujishiro and Jurkewitz do not teach, suggest or disclose the control means for the drive means according to a measurement of tension in the web in the manner as required by claim 8. Specifically, Applicants' new claim 8 requires a control means for the drive means to rotate the winding roller in a reel-out direction when the tension of the web is greater than a preset value and to rotate the winding roller in a winding direction when the tension of the web is less than a preset value.

Accordingly, Applicants assert that claims 8-10 are not obvious in view of the cited references.

### CONCLUSION

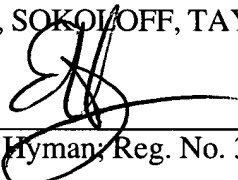
In view of the foregoing, it is believed that all claims now pending (1) are in proper form, (2) are neither obvious nor anticipated by the relied upon art of record, and (3) are in condition for allowance. A Notice of Allowance is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (310) 207-3800.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly, extension of time fees.

Respectfully submitted,

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Dated: 6/11/04

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#### **CERTIFICATE OF MAILING:**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, with sufficient postage, in an envelope addressed to: Mail Stop Amendment, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450

 6/11/04  
Nadya Gordon Date